

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 970

Introduced by Schrock, 38; Stuhr, 24

Read first time January 9, 2006

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game Law; to amend sections 37-413 and
2 37-414, Reissue Revised Statutes of Nebraska, and section
3 37-452, Revised Statutes Supplement, 2005; to provide
4 for apprentice hunter education exemptions; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-413, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 37-413 (1) For the purpose of establishing and
4 administering a mandatory firearm hunter education program for
5 persons ~~born on or after January 1, 1977,~~ twelve years of age
6 through eighteen years of age who hunt with a firearm or crossbow
7 any species of game, game birds, or game animals, the commission
8 shall provide a program of firearm hunter education training
9 leading to obtaining a certificate of successful completion in the
10 safe handling of firearms and shall locate and train ~~volunteer~~
11 ~~firearm hunter education~~ instructors. The instructor may charge
12 each student a fee of not more than ten dollars for a hunter
13 education course required by this section. The program shall
14 provide a training course having a minimum of (a) ten hours of
15 classroom instruction or (b) independent study on the part of the
16 student sufficient to pass an examination given by the commission
17 followed by such student's participation in a minimum of four hours
18 of practical instruction. The program shall provide instruction in
19 the areas of safe firearms use, shooting and sighting techniques,
20 hunter ethics, game identification, and conservation management.
21 The commission shall issue a firearm hunter education certificate
22 of successful completion to persons having satisfactorily completed
23 a firearm hunter education course accredited by the commission and
24 shall print, purchase, or otherwise acquire materials as necessary
25 for effective program operation. The commission shall adopt and

1 promulgate rules and regulations for carrying out and administering
2 such program.

3 (2) It shall be unlawful for any person ~~born on or after~~
4 January 1, 1977, younger than nineteen years of age to hunt with
5 a firearm or crossbow any species of game, game birds, or game
6 animals except:

7 (a) A person under the age of twelve years who is
8 accompanied by a person nineteen years of age or older having a
9 valid hunting permit; and

10 (b) A person ~~born on or after January 1, 1977, not~~
11 younger than twelve years of age and not older than eighteen years
12 of age who has on his or her person a ~~hunter education certificate~~
13 ~~of successful completion issued by the person's state or province~~
14 ~~of residence or a firearm hunter education certificate issued~~
15 proof of successful completion of a firearm hunter education course
16 issued by this state or the person's state or province of residence
17 or by an accredited program recognized by the commission; or

18 (c) A person not younger than twelve years of age and
19 not older than eighteen years of age who has on his or her person
20 the appropriate hunting permit and an apprentice hunter education
21 exemption issued by the commission and who is accompanied by a
22 person nineteen years of age or older having a valid hunting
23 permit. A person nineteen years of age or older having a valid
24 hunting permit shall not accompany more than two persons having
25 apprentice hunter education exemptions at the same time.

1 (3) An apprentice hunter education exemption may be
2 issued to a person not younger than twelve years of age and
3 not older than eighteen years of age, once during such person's
4 lifetime, upon payment of a fee of five dollars and shall be
5 valid for a period of one calendar year. The commission may adopt
6 and promulgate rules and regulations allowing for the issuance of
7 apprentice hunter education exemptions. All fees collected under
8 this subsection shall be remitted to the State Treasurer for credit
9 to the State Game Fund.

10 (4) For purposes of this section, accompanied means under
11 the direct supervision of a person nineteen years of age or older
12 having a valid hunting permit who is at all times in unaided visual
13 and verbal communication with the person having an apprentice
14 hunter education exemption.

15 Sec. 2. Section 37-414, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 37-414 (1) The commission shall establish and administer
18 a bow hunter education program consisting of a minimum of (a)
19 ten hours of classroom instruction or (b) independent study on
20 the part of the student sufficient to pass an examination given
21 by the commission followed by such student's participation in a
22 minimum of four hours of practical instruction. The program shall
23 provide instruction in the safe use of bow hunting equipment,
24 the fundamentals of bow hunting, shooting and hunting techniques,
25 game identification, conservation management, and hunter ethics.

1 When establishing such a program, the commission shall recruit
2 and train volunteers as bow hunter education training instructors.
3 An instructor may charge a fee to each student of not more than
4 ten dollars for a bow hunter education course required by this
5 section. The commission shall issue a certificate of successful
6 completion to any person who satisfactorily completes a bow hunter
7 education program established by the commission and shall print,
8 purchase, or otherwise acquire materials necessary for effective
9 program operation. The commission shall adopt and promulgate rules
10 and regulations for carrying out and administering such program.

11 (2) A person ~~born on or after January 1, 1977,~~ not
12 younger than twelve years of age and not older than eighteen years
13 of age who is hunting antelope, deer, elk, mountain sheep, or
14 wild turkey with a bow and arrow pursuant to any provision of
15 sections 37-447 to 37-453 and 37-457 shall have on his or her
16 person (a) proof of successful completion of a bow hunter education
17 certificate of successful completion course issued by Nebraska
18 or his or her state or province of residence or a ~~bow hunter~~
19 ~~education certificate~~ issued by an accredited program recognized
20 by the commission or (b) an apprentice hunter education exemption
21 issued by the commission pursuant to section 37-413. Any person
22 bow hunting with an apprentice hunter education exemption shall
23 be accompanied by a person nineteen years of age or older having
24 a valid hunting permit, and such person nineteen years of age or
25 older shall not accompany more than two persons having apprentice

1 hunter education exemptions at the same time.

2 (3) For purposes of this section, accompanied means under
3 the direct supervision of the person nineteen years of age or older
4 having a valid hunting permit who is at all times in unaided visual
5 and verbal communication with the person having an apprentice
6 hunter education exemption.

7 Sec. 3. Section 37-452, Revised Statutes Supplement,
8 2005, is amended to read:

9 37-452 No person shall be issued a permit to hunt deer,
10 antelope, elk, wild turkey, or mountain sheep unless such person
11 is at least twelve years of age, except that any person who is
12 twelve through fifteen years of age shall only hunt deer, antelope,
13 elk, wild turkey, or mountain sheep when accompanied by a person
14 ~~twenty-one~~ nineteen years of age or over having a valid hunting
15 permit. A person nineteen years of age or older having a valid
16 hunting permit shall not accompany more than two persons twelve
17 through fifteen years of age hunting deer, antelope, elk, wild
18 turkey, or mountain sheep at the same time.

19 For purposes of this section, accompanied means under the
20 direct supervision of the person nineteen years of age or older
21 having a valid hunting permit who is at all times in unaided visual
22 and verbal communication with the person twelve through fifteen
23 years of age.

24 Sec. 4. Original sections 37-413 and 37-414, Reissue
25 Revised Statutes of Nebraska, and section 37-452, Revised Statutes

LB 970

LB 970

1 Supplement, 2005, are repealed.